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10/685,860	10/15/2003	Brian D. Goodman	POU920030207US1	6687

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INTERNATIONAL BUSINESS MACHINES CORPORATION

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EXAMINER

WHIPPLE, BRIAN P

ART UNIT

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2452

NOTIFICATION DATE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/685,860	Applicant(s) GOODMAN ET AL.	
	Examiner BRIAN P. WHIPPLE	Art Unit 2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 21-25 and 76-123 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-25 and 76-123 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/18/09, 6/10/09, and 6/12/09</u> . | 6) ☐ Other: _____ |

DETAILED ACTION

1. Claims 1-19, 21-25, and 76-123 are pending in this application and presented for examination.

Response to Arguments

2. Applicant's arguments, see pages 25-26, filed 6/10/09, with respect to the 35 U.S.C. 103 rejections of claims 3 and 10, have been fully considered, but they are not persuasive. Applicant argues the prior art does not disclose the various elements listed, but the claim requires only "any one of" the elements.

3. Applicant's remaining arguments have been considered, but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-11, 13-17, 21, 76-80, 82-86, 88-92, 95, 100-104, 106-110, 112-116, and 119 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (Gupta), U.S. Publication No. 2002/0099777 A1, in view of Henderson et al. (Henderson), U.S. Patent No. 6,185,603 B1, and further in view of Manber et al. (Manber), U.S. Patent No. 6,651,086 B1 (submitted by Applicant in the IDS filed on 6/11/08).

6. As to claim 1, Gupta discloses a method for creating a message at a first computer system for display on a second computer system ([0049], ln. 1-3; [0077], ln. 1-9), the method comprising the steps of:

initiating a request for a GUI message in response to an event ([0050], ln. 1-8; [0053], ln. 1-2; a request for the creation of a new message is sent to the email system in response to an event such as the user selecting a new message icon) wherein the event and the initiating of the request are external to the second computer system ([0050], ln. 1-8) wherein said message is a notification of said event ([0050], ln. 1-8; the creation of a new message is clearly an indication of an event, an event such as the user selecting an option to create a new message);

defining GUI message attributes ([0056], ln. 1-6);

defining GUI message functionality ([0055], ln. 20-25);

creating the message at the first computer system, the message comprising message content, the GUI message attributes and the GUI message functionality ([0049], ln. 1-3 and 6-12; [0055], ln. 20-25; [0056], ln. 1-6) such that the message includes aspects of how the second computer system is to display the message content ([0056], ln. 1-6); and

in response to the request, transmitting the message from the first computer system to a group of computer systems wherein the group of computer systems comprises the second computer system ([0064], ln. 1-9), each computer system in said group of computer systems extracting from said message, said attributes and functionality to instruct said each computer system how to display the user interactive GUI representation at said each computer system ([0049], ln. 1-3 and 6-12; [0055], ln. 20-25; [0056], ln. 1-6; [0064]).

Gupta is silent on including an alert message, said message content including instructing a desired period of time said alert message is to be displayed;

each computer system in said group of computer systems subscribing to messages from said first computer system; and

including instructions for the length of time said alert message is to be displayed.

However, Henderson discloses including an alert message, said message content including instructing a desired period of time said alert message is to be displayed (Col. 7, ln. 12-18 and 30-62); and

including instructions for the length of time said alert message is to be displayed (Col. 7, ln. 12-18 and 30-62).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta in the aforementioned manner as taught by Henderson in order to delete a message that is irrelevant after a certain point in time (Henderson: Col. 7, ln. 42-44).

Gupta and Henderson are silent on each computer system in said group of computer systems subscribing to messages from said first computer system. (However, Gupta discloses anonymous comments as discussed in the previous Office action mailed on 10/9/07.)

However, Manber discloses each computer system in said group of computer systems subscribing to messages from said first computer system (Abstract; Fig 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta and Henderson in the aforementioned manner as taught by Manber in order to connect users with similar interests so that they may have a discussion on a topic (Manber: Abstract).

7. As to claims 2 and 9, Gupta, Henderson, and Manber disclose the invention substantially as in parent claims 1 and 8, wherein the attributes comprise background color (Gupta: [0056], ln. 1-6).

8. As to claims 3 and 10, Gupta, Henderson, and Manber disclose the invention substantially as in parent claims 1 and 8, wherein the functionality for said alert message comprises removing the GUI image after a predetermined time (Henderson: Col. 7, ln. 12-18 and 30-62).

9. As to claims 4 and 11, Gupta, Henderson, and Manber disclose the invention substantially as in parent claims 1 and 8, wherein the content comprises text (Gupta: [0050], ln. 8-16; [0088], ln. 5-9).

10. As to claim 5, Gupta, Henderson, and Manber disclose the invention substantially as in parent claims 1 and 8, wherein the message further comprises routing information for any one of forwarding or acknowledging the message (Gupta: [0098], ln. 1-23).

11. As to claims 7 and 13, Gupta, Henderson, and Manber disclose the invention substantially as in parent claims 1 and 8, wherein the message is initiated by user action (Gupta: [0050], ln. 1-8).

12. As to claim 8, the claim is rejected for similar reasons to claim 1 above.

Additionally, Gupta discloses decoding the message at the second computer system, the decoding resulting in a format suitable for processing on second computer system ([0077], ln. 1-9; it is inherent that if the message is received and displayed that it was decoded into a format suitable for processing);

creating a user interactive GUI representation at the second computer system ([0077], ln. 1-9), the user interactive GUI representation comprising one or more user input functions, the user input function selectable by a user ([0079], ln. 1-5), the interactive GUI representation further comprising attributes, content and functionality defined by the extracted attributes, content and functionality of the message ([0055], ln. 20-25; [0056], ln. 1-6; [0077], ln. 6-9; [0078], ln. 1-7); and

displaying the user interactive GUI representation at the second computer system ([0077], ln. 1-9).

13. As to claim 14, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, further comprising identifying routing information (Gupta: [0098], ln. 5-17).

14. As to claim 15, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 14, further comprising modifying the GUI based on the routing information (Gupta: [0077], ln. 1-7).

15. As to claim 16, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, further comprising launching an application program according to attributes of the message content (Gupta: [0070], ln. 1-5; [0072], ln. 1-2 and 8-17).

16. As to claim 17, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, wherein the attributes comprise any one of inline binary data, computer program instructions, rich media content, instructions for displaying the GUI, GUI display, size or shape (Gupta: [0072], ln. 1-2 and 8-17).

17. As to claim 21, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, further comprising saving the message in a list view, the list view comprising history of messages (Gupta: Figure 5; [0055], ln. 6-10; [0070], ln. 1-5).

18. As to claims 76-80 and 82, the claims are rejected for reasons similar to claims 1-5 and 7, respectively.

19. As to claims 83-86, the claims are rejected for reasons similar to claims 8-11, respectively.

20. As to claims 88-92, the claims are rejected for reasons similar to claims 13-17, respectively.

21. As to claim 95, the claim is rejected for reasons similar to claim 21 above.

22. As to claims 100-104 and 106, the claims are rejected for reasons similar to claims 1-5 and 7, respectively.

23. As to claims 107-110, the claims are rejected for reasons similar to claims 8-11, respectively.

24. As to claims 112-116, the claims are rejected for reasons similar to claims 13-17, respectively.

25. As to claim 119, the claim is rejected for reasons similar to claim 21 above.

26. Claims 6, 12, 81, 87, 105, and 111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta, Henderson, and Manber as applied to claims 1 and 8 above, further in view of Moroo, U.S. Publication No. 2003/0023692 A1, further in view of Applicant's admitted prior art (resulting from the Applicant's failure to adequately traverse the Official Notice taken in the previous Office Action mailed on 3/11/08), and further in view of Jannu et al. (Jannu), U.S. Patent No. 7,152,094 B1.

27. As to claims 6 and 12, Gupta, Gabber, admitted prior art, and Manber disclose the invention substantially as in parent claims 1 and 8, but are silent on the message content defines a problem, each computer system in said group of computer systems is anonymous to the first computer system and the other computer systems in said group of computer systems, each computer system in said group of computer systems has a filter for filtering the problem defined in said message for keywords of interest to the respective other computer system such that the message would have to contain the keywords of interest before the respective computer system sees the message, and the message is transmitted to the group by way of a pub/sub service.

However, Moroo discloses the message content defines a problem (Abstract, ln. 1-3, the message content includes the problem of "unwanted electronic messages"),

each computer system in said group of computer systems has a filter for filtering the problem defined in said message for keywords of interest to the respective other computer system such that the message would have to contain the keywords of interest before the respective computer system sees the message ([0006], ln. 5-8; [0038] – [0040]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, and Manber in the aforementioned manner as taught by Moroo in order to scan an electronic message for permitted sender addresses and pass along messages to the recipient from trusted sources.

Gupta, Henderson, Manber, and Moroo are silent on each computer system in said group of computer systems being anonymous to the first computer system and the other computer systems in said group of computer systems. (However, Gupta discloses anonymous comments as discussed in the previous Office action mailed on 10/9/07.)

Applicant's admitted prior art discloses that distribution lists, forum lists, mailing lists, etc. are all well known in the art and are defined by a single mailing address to which a sender may address an email. The sender sees only the distribution list name, but then the message is subsequently distributed to all subscribers to such a list.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, Manber, and Moroo by using distribution lists to keep computer systems in a group anonymous to other computer systems

in the group as taught by Applicant's admitted prior art in order to ensure privacy when desired by a user.

Gupta, Henderson, Manber, Moroo, and Applicant's admitted prior art are silent on the message is transmitted to the group by way of a pub/sub service.

However, Jannu does disclose the message is transmitted to the group by way of a pub/sub service (Col. 2, ln. 11-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, Manber, Moroo, and Applicant's admitted prior art by utilizing a pub/sub service as taught by Jannu in order to ensure that messages reach an interested audience and unwanted messages are not received (Jannu: Col. 2, ln. 22-25).

28. As to claims 81, 87, 105, and 111, the claims are rejected for reasons similar to claims 6 and 12 above.

29. Claims 18, 93, and 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta, Henderson, and Manber as applied to claim 8 above, further in view of Walker et al. (Walker), U.S. Patent No. 6,286,001 B1.

30. As to claim 18, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, but are silent on the attributes identify preferred input types, the types comprising any one of keyboard, mouse, voice, biometric system, application program interface or network attached device.

However, Walker discloses the attributes identify preferred input types, the types comprising any one of keyboard, mouse, voice, biometric system, application program interface or network attached device (Col. 9, ln. 50-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, and Manber by utilizing preferred input types as taught by Walker in order to disable unapproved functions and/or enable approved functions (Walker, Col. 9, ln. 50-52) and prevent the user from accessing unauthorized data (Walker, Col. 4, ln. 5-16).

31. As to claims 93 and 117, the claims are rejected for reasons similar to claim 18 above.

32. Claims 19, 94, and 118 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta, Henderson, and Manber as applied to claim 8 above, further in view of Microsoft Corporation (Microsoft), Internet Explorer 4.0 Accessibility, October 1997.

33. As to claim 19, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, but are silent on the GUI display is overridden by local GUI settings.

However, Microsoft discloses the GUI display is overridden by local GUI settings (Pg. 5, ln. 3-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, and Manber by allowing local GUI settings to override the GUI display as taught by Microsoft in order to allow the user to customize the GUI to his or her own accessibility needs (Microsoft, Pg. 2, ln. 7-10).

34. As to claims 94 and 118, the claims are rejected for reasons similar to claim 19 above.

35. Claims 22-23, 96-97, and 120-121 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta, Henderson, and Manber as applied to claim 8 above, further in view of Nemovicher, U.S. Publication No. 2002/0007453 A1.

36. As to claim 22, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, but are silent on the further step of pre-processing the message before the creating the GUI step.

However, Nemovicher discloses the further step of pre-processing the message before the creating the GUI step ([0020], ln. 1-4; [0058], ln. 1-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, and Manber by pre-processing the message before creating the GUI as taught by Nemovicher in order to ensure that recipients do not receive messages that may contain viruses (Nemovicher, [0020], ln. 17-19).

37. As to claim 23, Gupta, Henderson, Manber, and Nemovicher disclose the invention substantially as in parent claim 22, wherein pre-processing comprises virus scanning the message (Nemovicher: [0020], ln. 1-4; [0058], ln. 1-5).

38. As to claims 96 and 120, the claims are rejected for reasons similar to claim 22 above.

39. As to claims 97 and 121, the claims are rejected for reasons similar to claim 23 above.

40. Claims 24-25, 98-99, and 122-123 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta, Henderson, and Manber as applied to claim 8 above, further in view of McCormick et al. (McCormick), U.S. Patent No. 6,421,709 B1.

41. As to claim 24, Gupta, Henderson, and Manber disclose the invention substantially as in parent claim 8, but are silent on the further step of post-processing the message after the creating the step.

However, McCormick discloses the further step of post-processing the message after the creating the step (Col. 8, ln. 48-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Gupta, Henderson, and Manber by post-processing the message as taught by McCormick in order to teach a system to filter junk mail (McCormick, Col. 8, ln. 48-55).

42. As to claim 25, Gupta, Henderson, Manber, and McCormick disclose the invention substantially as in parent claim 24, wherein post-processing comprises generating SPAM identification heuristics (McCormick: Col. 8, ln. 48-55).

43. As to claims 98 and 122, the claims are rejected for reasons similar to claim 24 above.

44. As to claims 99 and 123, the claims are rejected for reasons similar to claim 25 above.

Conclusion

45. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN P. WHIPPLE whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Fri (11:30 AM to 6:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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